

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAVANNA SPENCER,

Plaintiff,

v.

C/O FIES, et al.,

Defendants.

Civil Action No. 06-132 Erie

MEMORANDUM ORDER

This motion for leave to proceed in forma pauperis was received by the Clerk of Court on June 5, 2006, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 2], filed on June 13, 2006, recommended that Plaintiff's motion for leave to proceed in forma pauperis [Doc. No. 1] be denied and the case be dismissed without prejudice. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. Objections were filed by Plaintiff on June 22, 2006 [Doc. No. 3]. After de novo review of the motion and documents in the case, together with the Report and Recommendation and Objections thereto, the following order is entered:

AND NOW, this 11th day of July, 2006;

The Report and Recommendation [Doc. No. 2] of Magistrate Judge Baxter, filed on June 13, 2006 is not adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff shall file an affidavit and a certified copy of her institutional account consistent with the requirements of 28 U.S.C. § 1915(a)(1) and (2) within ten (10) days of the date of this order. Failure to do so will result in the dismissal of this case.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge